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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/776,116 | 02/11/2004 | Anthony Verloop | CFP-014626 (15745/440) | 2793 |
| 23595 | 7590 | 09/22/2005 | EXAMINER | |
| NIKOLAI & MERSEREAU, P.A. 900 SECOND AVENUE SOUTH SUITE 820 MINNEAPOLIS, MN 55402 | | | SMITH, SHEILA B | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2681 | |

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/776,116

Applicant(s)

VERLOOP ET AL.

Examiner

Sheila B. Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 2, 5-7, 9,12-14 rejected under 35 U.S.C. 103(a) as being obvious over Hoffman et al. (U. S. Patent Number 6,239,700) in view of Chen (U. S. Patent Number 6,804,338) and further in view of Lin (U. S. Patent Publication Number 2004/0242240).

The applied reference has a common inventor and assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). For applications filed on or after November 29, 1999, this rejection might also be overcome by showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the

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same person or subject to an obligation of assignment to the same person. See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Regarding claim 1, Hoffman et al. discloses essentially all the claimed invention as set forth in the instant application, further Hoffman et al. discloses a personal security and tracking system. In addition Hoffman et al. discloses a method of making an emergency telephone call through the mobile communications system, comprising the steps of: preparing a portable automatic calling apparatus for fastening onto a user's body; saving telephone numbers of call receivers, with the area codes of the receivers (which reads on column 4 lines 12-67), in memory records created in the automatic calling apparatus (which reads on column 4 lines 12-67); establishing a regular line connection to a mobile communications network using the portable automatic calling apparatus whenever the user moves about from one place to another (which reads on column 4 lines 1-10), especially when crossing over district boundaries (which reads on column 14 lines 42-63); searching through memory records to locate a call receiver; and transmitting an emergency call through the mobile communications network to a nearest call receiver having the same area code when the emergency button on the apparatus is pressed (which reads on column 4 lines 25-32); whereby when the user moves to a different district, the apparatus is still able to update the location of the user and pick out a nearest call receiver to dial (which reads on column 4 lines 12-67). However, Hoffman et al. fails to disclose extracting local area code information from an initialization message of the mobile communications network.

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In the same field of endeavor, Chen discloses electronic telephone directory. In addition Chen discloses the use of extracting local area code information from an initialization message of the mobile communications network (which reads on column 7 lines 44-65).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve Hoffman et al. by modifying a personal security and tracking system with the use of extracting local area code information from an initialization message of the mobile communications network, as taught by Hoffman et al. for the purpose of making the monitoring the unit simpler.

Regarding claim 2, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the mobile communications network is operated with cellular communications equipment (which reads on column 5 lines 42-53).

Regarding claim 3, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the cellular communications equipment is based on a GSM/GPRS system (which reads on column 5 lines 42-53).

Regarding claim 4, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the call receiver is a hospital (which reads on column 1 lines 14-26).

Regarding claim 5, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the call receiver is an ambulance operator (which reads on column 1 lines 14-26).

Regarding claim 6, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the call receiver is a rescue operation center (which reads on column 1 lines 14-26).

Regarding claim 7, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the call receiver is a police station (which reads on column 1 lines 14-26).

Regarding claim 8, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the call receiver is a fire brigade (which reads on column 1 lines 14-26).

Regarding claim 9, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the call receiver is a family doctor (which reads on column 1 lines 14-26).

Regarding claim 10, Hoffman et al. in view of Chen discloses everything as applied above,

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additionally Hoffman et al. discloses a wherein the call receiver is a related person of the user (which reads on column 1 lines 14-26).

Regarding claim 11, Hoffman et al. discloses essentially all the claimed invention as set forth in the instant application, further Hoffman et al. discloses a personal security and tracking system. In addition Hoffman et al. discloses an automatic calling apparatus, comprising: a microprocessor (106) being used for data processing and serving as a control hub, where one input is connected to an emergency call button (24a-c); a memory module (which reads on the computer system 90 comprises means to store and access communications information) being connected to the microprocessor (106) for saving operation data, including the telephone numbers and area codes of call receivers, and program instructions; and a mobile communications interface (which reads on 112) being connected to the microprocessor (106), which is a GSM/GPRS communications module for linking to a mobile communications network; whereby the automatic calling apparatus, attached to the user, changes the location whenever the user moves from one place to another, and the apparatus is able to establish regular line connection with the mobile communications network through the mobile communications interface (112), such that the microprocessor (106) of the mobile communications network and use that information to search through memory records to locate a nearest call receiver with the same area code, and when the user actuates the emergency button (11), the microprocessor (10) uses the telephone number of the nearest call receiver to dial (which reads on column 11 lines 64-67 and column 12 lines 1-18). However, Hoffman et al. fails to disclose extracting local area code information from an initialization message of the mobile communications network.

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In the same field of endeavor, Chen discloses electronic telephone directory. In addition Chen discloses the use of extracting local area code information from an initialization message of the mobile communications network (which reads on column 7 lines 44-65).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve Hoffman et al. by modifying a personal security and tracking system with the use of extracting local area code information from an initialization message of the mobile communications network, as taught by Hoffman et al. for the purpose of making the monitoring the unit simpler.

Regarding claim 12, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the cellular communications equipment is based on a GSM/GPRS system (which reads on column 5 lines 42-53).

Regarding claim 13, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the automatic calling apparatus is installed in a personal computing device (which reads on column 4 lines 14-26).

Regarding claim 14, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the personal computing device is a notebook computer (which reads on column 4 lines 14-26).

Regarding claim 15, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the personal computing device is a flat panel computer (which reads on column 4 lines 14-26).

Regarding claim 16, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a the personal computing device is a personal digital assistant (PDA) (which reads on column 4 lines 14-26).

Regarding claim 17, Hoffman et al. in view of Chen discloses everything as applied above, additionally Hoffman et al. discloses a wherein the automatic calling apparatus is incorporated in a repeater that has a diverse communications interface linking to different network systems through a personal computing device (which reads on column 4 lines 14-26).


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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheila B. Smith whose telephone number is (571)272-7847. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Smith 
September 19, 2005


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER